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Union Pacific Railroad
Missouri Pacific Railroad

ENVIRONMENTAL PROTECTION
AGENCY

APR 17 1989

MONTANA OFFICE

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Law Department

April 14, 1989

John F. Wardell, Director
U.S. Environmental Protection Agency
Region VIII, Montana Office
Federal Building
301 South Park, Drawer 10096
Helena, MT 59626-0096

Butte Priority Soils Operable Unit -
EPA Request for Information Dated March 27, 1989

Dear Mr. Wardell:

Union Pacific is making every effort to respond to the Request for Information EPA sent to J. R. Davis in a timely manner. However, in developing our response to question No. 2 which requests "any documentation of any interests in the properties", we must duplicate a very large number of very old deeds that must be handled with extreme care. As you might guess, the Railroad right-of-way in question was purchased in small plots during the late 1800s making the documentation fragile.

In order to copy these documents, I am requesting an extension of one week to respond to EPA's information request. Union Pacific received the request on March 30. Therefore, a one week extension would give us until April 27 to submit the necessary responses and accompanying documentation.

We will continue to work diligently toward responding to this request and will assume that we have until April 27 to provide the requested information unless I hear otherwise from either you or Rex Calloway.

I spoke with Rex Calloway about Union Pacific's (the Oregon Short Line) concern regarding how the EPA determined that its right-of-way is built from mine tailings that are a threat to human health and the environment. He described a sampling program that involved some railroad


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rights-of-way as well as other areas in Butte. I am asking that you provide me with any information you have as to whether the Oregon Short Line right-of-way was sampled, where it was sampled and the results of the sampling analysis. If the Oregon Short Line was not one of the railroads sampled, I would appreciate receiving information about which railroads were sampled, the locations of the sampling and the results of the laboratory analyses. This information will provide Union Pacific with at least some evidence substantiating EPA's suspicion that Oregon Short Line's right-of-way in Butte was built from mine tailings that present a threat to human health and the environment.

If you have any questions concerning my request, please feel free to contact me at (402) 271-4752 at Union Pacific headquarters in Omaha.

Sincerely,


Nancy A. Roberts

c: Rex Calloway